

AO91 (Rev. 12/03) Criminal Complaint

AUSA

*Felony*

**UNITED STATES DISTRICT COURT**

 United States District Court  
 Southern District of Texas  
 FILED

OCT 29 2015

Southern District Of Texas Brownsville Division

**UNITED STATES OF AMERICA****CRIMINAL COMPLAINT**

David J. Bradley, Clerk of Court

vs.

 Luis Alberto LOZANO  
 A208 455 876 United States

Case Number: B-15- 1000 - MJ

I, the undersigned complainant state that the following is true and correct to the best of my

knowledge and belief. On or about October 28, 2015 in Kenedy County, inthe Southern District Of Texas defendant(s)

knowingly, willfully, and in reckless disregard of the fact that six undocumented alien(s) had entered the United States in violation of law and remained in the United States in violation of law, did transport and move said alien(s) by means of a motor vehicle with intent to further their unlawful presence,

 in violation of Title 8 United States Code, Section(s) 1324(a)(1)(A)(ii)

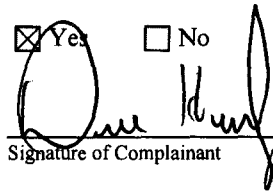
 I further state that I am a(n) Border Patrol Agent and that this complaint is based on the following facts:

On October 28, 2015 at approximately 0030 hours, Harlingen Border Patrol Agents were working vehicle traffic duties on Highway 77 north of Raymondville, Texas. Agents observed a black in color GMC Envoy traveling northbound on Highway 77. As the vehicle passed their position, the driver of the vehicle slowed down drastically and continued to hit the brakes. The vehicle appeared to be heavily laden and had dark window tint. Agents requested back-up, and then proceeded to activate their vehicle emergency equipment to conduct a traffic stop to perform an immigration inspection on the occupants. Upon activating their emergency equipment, the vehicle pulled into the breakdown lane of the east side of Highway 77. As Agents approached the vehicle the passenger front and rear doors were swung open and several subjects attempted to exit the vehicle to avoid apprehension. Subsequently the driver of the GMC Envoy shifted the vehicle into gear and tried to abscond from agents.

Defendant had \$276.00 US dollars at time of apprehension.

Continued on the attached sheet and made a part of this complaint:

☒ Yes ☐ No

  
 Signature of Complainant
Hernandez, Duane Border Patrol Agent

Printed Name of Complainant

Sworn to before me and signed in my presence,

October 29, 2015

Date

at

Brownsville, Texas

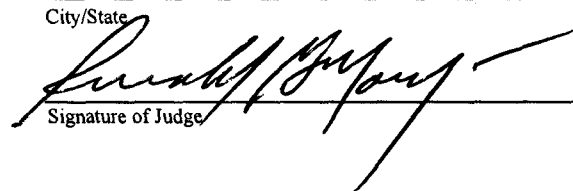
City/State

Ronald G. Morgan

Name of Judge

U.S. Magistrate Judge

Title of Judge

  
 Signature of Judge

**AFFIDAVIT**

In support of Criminal Complaint

**UNITED STATES OF AMERICA**

**CRIMINAL COMPLAINT**

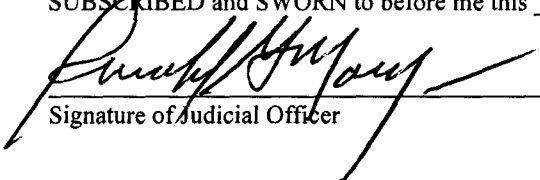
**V.**

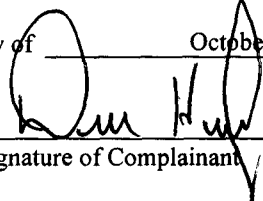
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Agent was forced to deploy his service issued baton by breaking the driver's side window and was forced to shift the vehicle into park in attempt to gain access and to avoid injuries to Agents attempting to apprehend the passengers. A total of six undocumented aliens were apprehended. One passenger was able to abscond into nearby brush and avoid apprehension. Driver later identified as Luis Alberto LOZANO stated he knew the passengers were undocumented aliens and was going to get paid \$200.00 US dollars to drive the vehicle just south of the Sarita checkpoint and drop off the undocumented aliens.

SUBSCRIBED and SWORN to before me this 29th day of October, 2015

  
Signature of Judicial Officer

  
Signature of Complainant